

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6390

BILL NUMBER: HB 1967

DATE PREPARED: Nov 19, 2000

BILL AMENDED:

SUBJECT: Fire Department Hazardous Material Costs.

FISCAL ANALYST: Chris Baker

PHONE NUMBER: 232-9851

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill requires a responsible party, when charged for the expenses, to reimburse a fire department that employs both full-time paid members and volunteer members or only full-time paid members for all expenses incurred by the department in taking emergency action with respect to containment, control, and cleanup of hazardous materials. The bill provides that a court action to collect a reimbursement may be brought either in: (1) the county in which the hazardous materials emergency arose; or (2) the county in which the fire department is located.

The bill also allows the department to establish a schedule of charges and to recover all costs of an action for collection of a reimbursement. It establishes the permissible uses of money collected. It also provides a penalty for failure of the responsible party to pay the charges when due.

Effective Date: Upon passage.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: See "Explanation of Local Revenues."

Explanation of Local Revenues: This bill would allow a fire department that employs both full-time, paid members and volunteer members or only full-time, paid members, to bill and collect the actual expenses incurred by the department for certain emergency actions involving hazardous materials. The amount billed and collected is based upon a fee schedule established by the fire department. The bill provides that a fire department that imposes a service charge and maintains an action for reimbursement may recover all costs of the action, including attorney fees. If the bill is not paid by the responsible party within 60 days after the issuance of the bill, there is a 10% penalty for the amount of the unpaid bill. The money collected is to be

deposited in the general fund of the unit that established the fire department.

This proposal specifies how the money collected may be used. The fiscal impact of this provision is indeterminable and dependent on the fee schedule established by the fire department as well as the amount collected.

State Agencies Affected:

Local Agencies Affected: Full-time paid fire departments (with or without volunteer members).

Information Sources: